

REMARKS

The foregoing amendments and these remarks are in response to the Final Office Action dated April 13, 2009. This amendment is accompanied by a Request for Continued Examination. Applicant respectfully requests a three month extension of time and authorization is given to charge Deposit Account No. 50-0951 for the appropriate fees.

At the time of the Office Action, claims 1, 2, 4-8 and 11-23 were pending in the application. Claim 12 has been withdrawn from consideration. Claims 1, 2, 4-8, 11 and 13-23 were rejected under 35 U.S.C. §103(a). The rejections are discussed in more detail below.

I. Rejections on Art

Claims 1-2, 4-7, 11, and 13-23 are rejected under 35 U.S.C. §103(a) as being unpatentable over European Patent No. 0294261 to Kalbskopf (hereafter "*Kalbskopf*") in view of U.S. Patent No. 4,972,627 to Hori ("*Hori*"). Claim 8 is rejected under 35 U.S.C. §103(a) as being unpatentable over *Kalbskopf* in view of *Hori* as applied to claims 1, 2, 4-7, 11 and 13-23, and further in view of U.S. Patent No. 6,615,537 to Tonkin et al. ("*Tonkin*").

Claim 1 is amended herein to clarify that the shaping step takes place using an outer, or surrounding layer, that comprises a mixture of binding agent and base material, and that the inner layer comprises base material that is substantially free of binding material. Such an arrangement is not taught in the cite prior art documents. In particular, and as explained previously, *Kalbskopf* does not teach the use of layers of material at all. *Hori* teaches rolling a sheet material up so that it could arguably be said to teach layers, but these layers are not formed of different materials.

There is thus no teaching in either prior art document of providing a culture medium having an inner core of base material that is substantially free of binding material, surrounded by a layer of a mixture of base material and thermoplastic binding agent that has been fluidized and solidified by heating and cooling. The inner core allows for a hydrophobic material to be used in the binding agent without affecting the water absorbing capacity of the base material (see for example, page 12, lines 13-23 of the present application).

Claim 1 is thus believed to relate to patentable subject matter, and to be in condition for allowance. The dependent claims are also believed allowable because of their dependence upon an allowable base claim, and because of the further features recited. Rejoinder of claim 12 is requested upon allowance of claim 1.

Amendment

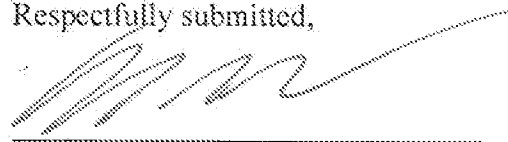
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II. Conclusion

Applicants have made every effort to present claims which distinguish over the prior art, and it is thus believed that all claims are in condition for allowance. Nevertheless, Applicants invite the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance. In view of the foregoing remarks, Applicants respectfully request reconsideration and prompt allowance of the pending claims.

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Respectfully submitted,



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